

5

EXHIBIT A

RECEIVED

AUG 24 2011

1

Prosecutor's Office

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT TACOMA

CLYDE RAYMOND SPENCER,

Petitioner,

v.

JOSEPH KLAUSER, Warden,
 Idaho State Institution;
 CHRISTINE GREGOIRE, Attorney
 General, State of Washington.

Respondents.

FILED RECEIVED LODGED
 SEP 16 1997
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 DEPUTY
 Docket No. C94-5238RJB
 Tacoma, Washington
 September 3, 1996
 9:30 a.m.

VOLUME I
 TRANSCRIPT OF TRIAL
 BEFORE THE HONORABLE ROBERT J. BRYAN
 UNITED STATES DISTRICT JUDGE.

APPEARANCES:

For the Petitioner:

PETER A. CAMIEL
 Mair, Abercrombie, Camiel &
 Rummonds
 710 Cherry Street
 Seattle, Washington 98104

For the Respondents:

JOHN J. SAMSON
 DONNA H. MULLEN
 Assistant Attorneys General
 Post Office Box 40116
 Olympia, Washington 98504-0116

Court Reporter:

Julaine V. Ryen
 Post Office Box 885
 Tacoma, Washington 98401-0885
 (206) 593-6591

Proceedings recorded by mechanical stenography, transcript
 produced by Reporter on computer.

ORIGINAL 97

1 discussion concerning having her son Matt examined by a doctor?

2 A. I have no recollection of that.

3 Q. Did you ever learn that Shirley Spencer's son had been taken
4 to see a doctor?

5 A. Not to my recollection.

6 Q. Would it be fair to say that in fact you had more than a
7 professional relationship with Shirley Spencer during the
8 Spencer investigation?

9 MR. SAMSON: Your Honor, I would have to object. This
10 is irrelevant. The Ninth Circuit has affirmed the denial of the
11 claim regarding the alleged coercion by Mr. Davidson, allegedly
12 coercing the guilty plea. Any private relationship Mr. Davidson
13 had with Ms. Spencer is not relevant to the issues in this
14 case. Mr. Camiel can ask about what Mr. Davidson did, saw,
15 observed, but his personal relationship with Ms. Spencer is
16 irrelevant.

17 MR. CAMIEL: Your Honor, this line of questioning goes
18 toward our argument that the Clark County Sheriff's Office was
19 aware that ^{M.H.} [REDACTED] had been referred for a medical exam and
20 the amount of contact with ^{M.H.} [REDACTED] mother himself.

21 THE COURT: I think he may answer. I don't want to go
22 into this in any depth, but I think he may answer the question.

23 Q. (By Mr. Camiel) Isn't it in fact true that you had more
24 than a professional relationship with Shirley Spencer during the
25 Spencer investigation?

7

1 A. That's not correct, no.

2 Q. Did you see Shirley Spencer socially during the Spencer
3 investigation?

4 A. After the Spencer investigation concluded.

5 Q. Do you remember telling Detective Krause during the pendency
6 of the Spencer investigation that you were involved with Shirley
7 Spencer?

8 A. I don't recall that, no.

9 Q. In child sex abuse cases that were being investigated when
10 you were the sergeant supervising the detectives doing those
11 investigations, was it a routine practice to have the children
12 referred to a doctor for an examination?

13 A. Without reviewing procedures pursuant to that particular
14 time in the investigation protocol, I can't tell you.

15 Q. Well, based on your memory of what actually occurred, apart
16 from any written procedures, was it a routine practice to have
17 children referred to a doctor?

18 A. It would depend upon the allegation.

19 Q. Where there were allegations with a female child of vaginal
20 penetration, would that be the kind of allegation where you
21 would expect there to be a referral to a doctor?

22 A. I would expect that there would be a referral, yes.

23 Q. And with a male child, where there were allegations of anal
24 penetration, would that be the kind of allegation that you would
25 expect to result in a referral to a doctor?

4

1 answer to this out as soon as I can.

2 THE DEFENDANT: Thank you, Your Honor.

3 (Recessed at 4:25 p.m.)

4

5 C E R T I F I C A T E

6

7 I certify that the foregoing is a correct transcript from
8 the record of proceedings in the above-entitled matter.

9

10

11

12

Julaine V. Ryan
JULAIN V. RYEN

13

January 15, 1997
Date

14

15

16

17

18

19

20

21

22

23

24

25

9

10

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAYMOND SPENCER,

Petitioner,

vs.

JOSEPH KLAUSER, Warden, Idaho
State Institution; CHRISTINE
GREGOIRE, Attorney General,
State of Washington,

Respondents.

No. C94-5238RJB

COPY

DEPOSITION UPON ORAL EXAMINATION

OF

SHARON A. KRAUSE

DATE TAKEN: May 22, 1996

TIME: 10:30 a.m.

PLACE: Hall of Justice
Longview, Washington

SUZAN R. WELLS
Archer Associates, Inc.
P. O. Box 1092
Longview, Washington 98632
(360) 423-2195

000086

1 A Yes. I'm sure it was.

2 Q What was significant about that? Why was that a
3 problem?

4 A Well, I think that's a big problem. We weren't looking
5 at one. There could have been others. The other thing
6 that concerned me personally was that I remember him
7 saying some of the other men had guns on their ankles.

8 Q You were concerned that these other potential suspects
9 might be police officers?

10 A Absolutely.

11 Q Was there an investigation that followed up on that?

12 A There was. And I remember Jim Holtz and I discussing
13 that.

14 Q Jim Holtz was with the Vancouver Police Department?

15 A Was the detective who was doing it. Other than that, I
16 can't really tell you. We were never able to identify,
17 you know, if there was, who they were.

18 Q Now, during the period of time of the Spencer
19 investigation, did you become aware that your
20 supervisor, Mike Davidson, began having a romantic
21 relationship with Shirley Spencer?

22 MR. SAMSON: I'll object on the
23 grounds of relevancy. This claim was addressed by the
24 ninth circuit and was rejected by the ninth circuit so I
25 don't think the issue is really relevant anymore to this

12
Sharon A. Krause

000123₃₈

1 action. But you can answer if you want.

2 Q (By Mr. Camiel:) You can answer.

3 A I was aware of it, yes. So was everybody else.

4 Q Was that ongoing while you were conducting your
5 investigation?

6 A My memory of that, that was way on into the
7 investigation that I became aware of that. And I don't
8 -- I don't remember if it -- You know, it's been so
9 long. My recollection of that is that when I became
10 aware of that, it was long after I had interviewed
11 Little Matt. And I don't remember if it was before he
12 pled or after, to be honest with you. But at some point
13 I became -- but it was --

14 Q At the point where you learned about it, you've
15 indicated that it was long after you'd interviewed
16 Little Matt.

17 A It seems to me. That's what I think it was. That's my
18 memory.

19 Q I wanted to identify "Little [REDACTED] as ^{M.H.} [REDACTED].

20 A Correct.

21 Q Matt Hansen is the Matt that lived up here in the state
22 of Washington?

23 A Right. His mother is Shirley Spencer.

24 Q When you learned that your supervisor, Michael Davidson,
25 was involved with Shirley Spencer, at the point where

13
Sharon A. Krause

000124 39

21
22
23
24
25

22
23
24
25

21
22
23
24
25

21
22
23
24
25

21
22
23
24
25

21
22
23
24
25